

Office of the Assistant Secretary, HUD

§ 984.105

- (10) Food stamps and emergency rental and utilities assistance; and
- (11) SSI, SSDI, or Social Security.

[61 FR 8815, Mar. 5, 1996, as amended at 65 FR 16731, Mar. 29, 2000]

EFFECTIVE DATE NOTE: At 65 FR 16731, Mar. 29, 2000, in § 984.103 paragraph (a) was revised, paragraph (b) was amended by removing the parenthetical phrase from the definition of "Earned income", removing the definition of "PHA", and revising the definitions of "Low income family" and "welfare assistance", effective Apr. 28, 2000. For the convenience of the user, the superseded text is set forth as follows:

§ 984.103 Definitions.

(a) The terms *1937 Act*, *Fair Market Rent*, *HUD*, *Indian Housing Authority (IHA)*, *Public Housing Agency (PHA)*, *Secretary*, and *Section 8*, as used in this part, are defined in 24 CFR 5.100.

(b) \* \* \* (See 24 CFR 813.106(b)(1), (2) and (8) and 913.106(b)(1), (2) and (8).) \* \* \*

\* \* \* \* \*

*PHA* means a Housing Authority—either a Public Housing Agency (PHA) or an Indian Housing Authority (IHA).

\* \* \* \* \*

*Low-income family*. See definitions in 24 CFR 813.102 and 913.102.

\* \* \* \* \*

*Welfare assistance* means income assistance from Federal or State welfare programs, and includes assistance provided under the Aid to Families with Dependent Children (AFDC) Program, Supplemental Security Income (SSI) that is subject to an income eligibility test; Medicaid, food stamps, general assistance, or other assistance provided under a Federal or State program directed to meeting general living expenses, such as food, health care, child care, but does not include assistance solely directed to meeting housing expenses, and does not include transitional welfare assistance provided to JOBS participants.

§ 984.104 Basic requirements of the FSS program.

An FSS program established under this part shall be operated in conformity with:

(a) The regulations of this part, and for a Section 8 FSS program, the rental certificate and rental voucher regulations, codified in 24 CFR parts 882, 887, and 982 respectively, and for a public

housing FSS program, the applicable public housing regulations, including the regulations in 24 CFR parts 913, 960, and 966;

(b) An Action Plan, as described in § 984.201, and provide comprehensive supportive services as defined in § 984.103; and

(c) An FSS program established under this part shall be operated in compliance with the nondiscrimination and equal opportunity requirements set forth in 24 CFR part 5, with the exception of Executive Orders 11246, 11625, 12432, and 12138.

§ 984.105 Minimum program size.

(a) *FSS program size*. (1) *Minimum program size requirement*. A PHA must operate an FSS program of the minimum program size determined in accordance with paragraph (b) of this section.

(2) *Exception or reduction of minimum program size*. Paragraph (c) of this section states when HUD may grant an exception to the minimum program size requirement, and paragraph (d) states when the minimum program size may be reduced.

(3) *Option to operate larger FSS program*. A PHA may choose to operate an FSS program of a larger size than the minimum.

(b) *How to determine FSS minimum program size*. (1) *Public housing*. The minimum size of a PHA's public housing FSS program is equal to the number of public housing units specified below:

(i) The total number of public housing units reserved in FY 1993 through October 20, 1998; plus

(ii) The number of public housing units reserved in FY 1991 and FY 1992 under the FSS incentive award competitions; minus

(iii) The number of families that have graduated from the PHA's public housing FSS program on or after October 21, 1998, by fulfilling their FSS contract of participation obligations.

(2) *Section 8*. The minimum size of a PHA's Section 8 FSS program is equal to the number of Section 8 certificate and voucher program units as calculated below:

(i) *Units included*. (A) The number of rental certificates and rental voucher units reserved under the combined FY